

## **REMARKS**

### *Status of the Claims*

Claims 1-33 are pending in the application.

The Office has required a restriction pursuant to 35 U.S.C. §121. The following ten inventions have been identified:

Group I: Claims 2-8 and 10-11, drawn to compounds with a chromene core wherein  $R^1$  and  $R^2$  do not form a ring (and linking claims 1, 9 and 12-27 that read on Claims 2-8 and 10-11), classified in class 549, subclass 398.

Group II: Claims 9 and 12, drawn to compounds having a quinoline core wherein  $R^1$  and  $R^2$  do not form a ring (and linking claims 1 and 13-27 that read on quinoline derivatives), classified in class 546, subclass 168.

Group III: Claims 1 and 13-27, drawn to compounds having a thiochromene core wherein  $R^1$  and  $R^2$  do not form a ring, classified in class 549, subclass 423.

Group IV: Claims 1-8 and 13-27 (not included in groups I-III, i.e. where  $R^1$  and  $R^2$  do form a ring) classified in various classes and subclasses.

Group V: Claim 29 drawn to a method of treating COX-2 mediated inflammatory disorders, classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.

Group VI: Claim 30 drawn to a method of treating COX-2 mediated neoplasia, classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.

Group VII: Claim 31 drawn to a method of treating COX-2 mediated ophthalmic disorders, classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.



Group VIII: Claim 32 drawn to a method of treating COX-2 cardiovascular disorders, classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.

Group IX: Claim 33 drawn to a method of treating COX-2 mediated schizophrenia, classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.

Group X: Claim 28 drawn to a method of treating COX-2 mediated disorders not encompassed by Groups IV-IX classified in class 514, various subclass 456 for chromenes, 312 for quinolines, and 432 for thiochromenes.

Applicants request reconsideration of the Restriction. In order to expedite the allowance of the application Applicants propose the following alternative restriction groups.

Group A: Claims 9-27 directed to specific species of compounds and compositions.

Group B: Claims 28-33 directed to methods of treating COX-2 mediated disorders with compounds of claim 12.

If these alternative groups are acceptable to the Examiner, we elect Group A.

With respect to restriction between Groups A and B, Applicants elect to follow the procedure set forth in MPEP 821.04 and "Guidance on Treatment of Product and Process Claims in light of *In re Ochiai*, *In re Brouwer* and 35 U.S.C. §103(b)", 1184 Off. Gazette 86 (1996), which permits rejoinder of method claims upon the allowance of a claim to the composition of matter.

In the event that the alternative groups are not acceptable to the Examiner then Applicants elect group I without traverse. The election is without prejudice to Applicants' right to file divisional applications directed to the subject matter not contained therein.



With respect to the requirement for restriction between Groups I and IX, Applicants elect to follow the procedure set forth in MPEP 821.04 and "Guidance on Treatment of Product and Process Claims in light of In re Ochiai, In re Brouwer and 35 U.S.C. §103(b)", 1184 Off. Gazette 86 (1996), which permits rejoinder of method claims upon the allowance of a claim to the composition of matter.

Conclusion

It is believed that the claims are in condition for allowance, it is respectfully requested that the application be passed to issue.

If the Examiner believes a telephonic interview with Applicant's representative would aid in the prosecution of this application, he is cordially invited to contact Applicant's representative at the below listed number.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Julie M. Lappin', is written over a horizontal line.

Julie M. Lappin, Reg. No. 46,612

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